

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JERRY J. SMITH,) CASE NO.: C08-0303-RSL
) (CR94-006-RSL)
Petitioner,)
)
v.) ORDER OF DISMISSAL
)
UNITED STATES OF AMERICA,)
)
Respondent.)

The Court, having reviewed petitioner's 28 U.S.C. § 2255 motion, all papers and exhibits in support and opposition to that motion, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's § 2255 Motion is DENIED, and this action is DISMISSED with prejudice; and
- (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 16th day of June, 2008.



Robert S. Lasnik
United States District Judge